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22 Attorneys for Plaintiff

23 UNITED STATES DISTRICT COURT
24
25 NORTHERN DISTRICT OF CALIFORNIA
26
27 OAKLAND DIVISION

28 PATRICIA M. McKENNA, Derivatively on) No. 11-cv-04248-PJH
29 Behalf of GOOGLE INC.,)
30) STIPULATION AND [~~PROPOSED~~] ORDER
31 Plaintiff,) CONSOLIDATING ACTIONS AND
32) APPOINTING LEAD COUNSEL
33 vs.)
34)
35 LARRY PAGE, et al.,)
36 Defendants.)
37 – and –)
38)
39 GOOGLE INC., a Delaware corporation,)
40)
41 Nominal Party.)
42)

43 [Caption continued on following page.]
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WHEREAS, there are presently three shareholder derivative actions on behalf of nominal defendant Google Inc. (“Google” or the “Company”) pending in this Court, as follows:

Case Name	Case No.	Date Filed
<i>McKenna v. Page, et al.</i>	CV-11-04248-PJH	August 29, 2011
<i>Clem v. Page, et al.</i>	CV-11-04249-RMW	August 29, 2011
<i>Gallis v. Schmidt, et al.</i>	CV-11-04270-LHK	August 29, 2011

WHEREAS, *McKenna*, *Clem* and *Gallis* (together, the “Actions”) assert breach of fiduciary duty and related claims on behalf of Google against its directors and certain top officers that arise from the same or substantially similar facts, occurrences and transactions;

WHEREAS, the parties have met and conferred and agree that the Actions should be consolidated under Rule 42(a) of the Federal Rules of Civil Procedure, and that consolidation of the Actions will promote judicial economy and preserve both public and private resources;

WHEREAS, counsel for plaintiffs in the Actions have met and conferred and agree that the law firms of Robbins Geller Rudman & Dowd LLP, Robbins Umeda LLP and Pomerantz Haudek Grossman & Gross LLP should be appointed lead counsel for plaintiffs in the Actions;

WHEREAS, defendants take no position as to the appointment of lead counsel for plaintiffs in the Actions; and

WHEREAS, the parties have met and conferred regarding defendants’ acceptance of service of the summons and complaints, as well as a schedule for the filing and service of a consolidated complaint and defendants’ responses thereto.

THEREFORE, IT IS STIPULATED AND AGREED by the parties, through their respective counsel of record, as follows:

1. The following actions shall be consolidated for all purposes, including pre-trial proceedings and trial:

Case Name	Case No.	Date Filed
<i>McKenna v. Page, et al.</i>	CV-11-04248-PJH	August 29, 2011
<i>Clem v. Page, et al.</i>	CV-11-04249-RMW	August 29, 2011
<i>Gallis v. Schmidt, et al.</i>	CV-11-04270-LHK	August 29, 2011

1 have authority to speak for plaintiffs in matters regarding pre-trial and trial procedure and settlement
2 negotiations, and shall make all work assignments in such manner as to facilitate the orderly and
3 efficient prosecution of the Actions and to avoid duplicative or unproductive efforts.

4 8. Defendants take no position as to the appointment of lead counsel for plaintiffs in the
5 Actions.

6 9. Defendants' counsel may rely upon all agreements made with plaintiffs' lead counsel,
7 and such agreements shall be binding on all plaintiffs.

8 **II. ACCEPTANCE OF SERVICE**

9 10. Counsel for defendants and nominal defendant shall accept service of the summons
10 and complaint within five business days after entry of this Order.

11 **III. SCHEDULE**

12 11. Plaintiffs shall have thirty five (35) days after this Stipulation is signed to file and
13 serve an Amended Consolidated Complaint. The Amended Consolidated Complaint shall be the
14 operative complaint and shall supersede all complaints filed in any of the actions consolidated
15 herein.

16 12. Defendants and nominal defendant Google shall have thirty (30) days from the filing
17 of the Amended Consolidated Complaint to respond to the Amended Consolidated Complaint.

18 13. In the event that any defendant and/or nominal defendant files a motion under Rule
19 12 of the Federal Rules of Civil Procedure in response to the Amended Consolidated Complaint,
20 plaintiffs shall have thirty (30) days to file and serve their opposition to the motion(s). Defendants
21 and nominal defendant Google shall have twenty (20) days to file and serve reply memoranda, if
22 any.

23 14. All motions shall be noticed in accordance with the Civil Local Rules, unless
24 otherwise ordered by the Court.

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1 DATED: September __, 2011

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14 Attorneys for Plaintiff Patricia M. McKenna

15 *I, Travis E. Downs III, am the ECF user whose ID and password are being used to file this*
16 *STIPULATION AND [PROPOSED] ORDER CONSOLIDATING ACTIONS AND APPOINTING*
17 *LEAD COUNSEL. In compliance with General Order 45, X.B., I hereby attest that Marc I. Gross*
has concurred in this filing.

18 DATED: September __, 2011

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STIPULATION AND [PROPOSED] ORDER CONSOLIDATING ACTIONS AND APPOINTING
LEAD COUNSEL. In compliance with General Order 45, X.B., I hereby attest that Felipe J. Arroyo
has concurred in this filing.*

DATED: September __, 2011

ROBBINS UMEDA LLP
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DATED: September __, 2011

WILSON SONSINI GOODRICH &
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Schmidt, L. John Doerr, John L. Hennessy, Paul
S. Otellini, K. Ram Shriram, Shirley M.
Tilghman, Nikesh Arora and Patrick Pichette

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 9/19/11

THE HONORABLE PHYLIS J. HAMILTON
UNITED STATES DISTRICT COURT
JUDGE



Mailing Information for a Case 4:11-cv-04248-PJH

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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